IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Special Appeal No. 16 of 2006

Uttam Chand. ……. Appellant

Versus

State of U.P. …… Respondent

Mr. B.M. Pingal, Advocate on behalf of Mr. B.S. Parihar, Advocate for the appellant.
Ms. Beena Pandey, Standing Counsel (U.P. Govt.) for the respondent.

JUDGMENT

Cora: Hon'ble Rajeev Gupta, C.J.
Hon'ble Rajesh Tandon, J.

RAJEEV GUPTA, C. J. (Oral)

Mr. B.M. Pingal, Advocate on behalf of Mr. B.S. Parihar, Advocate for the appellant.

Ms. Beena Pandey, Standing Counsel (U.P. Govt.) for the respondent.

2. Mr. B.M. Pingal, the learned counsel for the appellant seeks permission to withdraw the Special Appeal with the liberty of filing an appropriate application for review / recall of the impugned judgment dated 16.06.2004 and to seek condonation of the delay in filing the review / recall application on the ground that the appellant was pursuing this appeal under bonafide belief.

3. Permission granted.

4. With the above liberty, the Special Appeal is dismissed as withdrawn.

(Rajesh Tandon, J.) 07.09.2006

(Rajeev Gupta, C.J.) 07.09.2006

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